

IPW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Hilton Hong et al.
SERIAL NO.: 10/765,558
FILING DATE: 1/26/04
TITLE: SYSTEM AND METHOD FOR A TOPOLOGY MAP RELATED
TO ACCESS POINT USAGE IN A WIRELESS NETWORK
EXAMINER: Unassigned
ART UNIT: 2665

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Office of Initial Patent Examination's Customer Service Center, Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450, on the date printed below:

Date: November 9, 2004

Name: Ruth Rodriguez

Ruth Rodriguez

OFFICE OF INITIAL PATENT EXAMINATIONS
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P.O. Box 1450 Alexandria, VA 22313-1450

REQUEST TO CORRECT FILING RECEIPT

Applicants respectfully submit that the filing receipt contains the following errors, and correction of same is requested:

- The Projected Publication Date is incorrect: A request for non-publication has **NOT** been filed in this case, even though the Patent Application Transmittal and accompanying postcard mistakenly indicated otherwise. Please amend the Filing Receipt and appropriate records to reflect that there is **no projected publication date** in the referenced patent application.
- The Applicant information is incorrect: the correct listing of Applicants is Gajendra Shukla, Daniel Yun-Chak Wong and Hilton Hong. Please amend the

Filing Receipt and appropriate records to reflect the correct listing of Applicants in the referenced patent application.

- The spelling of Applicant Hilton Hong is incorrect. Please amend the spelling to reflect the correct spelling of the surname HONG.


Enclosed herewith in support of the above is the following:

- An annotated copy of the filing receipt indicating the above corrections;
- A true copy of the application papers (postcard, transmittal letter, express mail receipt) as filed on January 26, 2004; and
- A copy of the Declaration & Power of Attorney.

The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 50-1698. A duplicate copy of this page is enclosed.

Respectfully submitted,
THELEN REID & PRIEST LLP

Dated: November 9, 2004


Khaled Shami
Reg. No. 38,745

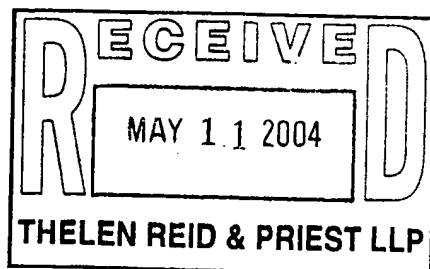
THELEN REID & PRIEST LLP
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San Jose, CA 95164-0640
Tel.: (408) 292-5800
Fax: (408) 287-8040

KS
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UNITED STATES PATENT AND TRADEMARK OFFICE

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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/765,558	01/26/2004	2665	0.00	034421-000178	2	2	2

 Robert E. Krebs
 Thelen Reid & Priest, LLP
 P.O. Box 640640-0640
 San Jose, CA 95164-0640


CONFIRMATION NO. 8147

FILING RECEIPT



OC000000012514093

Date Mailed: 05/03/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Hang
 Hilton **Hang**, Residence Not Provided;

Assignment For Published Patent Application

Proxim Corporation, a Delaware Corporation;

Domestic Priority data as claimed by applicant

This appln claims benefit of 60/443,107 01/27/2003

Foreign Applications

If Required, Foreign Filing License Granted: 05/03/2004

Projected Publication Date: Request for Non-Publication Acknowledged **NONE**

Non-Publication Request: Yes

Early Publication Request: No

 Reviewed By: _____ Date: _____
 No Action Required: _____
 Action Required: _____

Title

System and method for a topology map related to access point usage in a wireless network

Mail log _____ Date _____

CPI _____ Date _____

Excel _____ Date _____

DOCKETED
MAY 12 2004

Preliminary Class

370

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

**DECLARATION & POWER OF ATTORNEY**

As a below-named inventor, I hereby declare that:

My correct city and state of residence, my post office address and my citizenship are stated below next to my name.

I believe myself to be the original, first and sole inventor (if only one name is listed below) or an original and first joint inventor (if more than one name is listed below) of the subject matter which is disclosed and claimed and for which a patent is sought on the invention entitled:

**"SYSTEM AND METHOD FOR A TOPOLOGY MAP RELATED TO ACCESS POINT USAGE
IN A WIRELESS NETWORK"**

The specification of this subject matter:

- ☐ is attached hereto.
- ☒ was filed on January 26, 2004;
was assigned serial No. 10/765,558;
which was amended on . _____;

I hereby state that I have reviewed and understand the contents of the above-identified patent application, including the claims, as amended by any amendment(s) referred to above. I do not know and do not believe that the claimed invention was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, and that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months (for a utility patent application) or six months (for a design patent application) prior to this application.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with 37 C.F.R. §1.56(a).

I hereby claim foreign priority benefits under 35 U.S.C. §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

PRIOR FOREIGN APPLICATION(S)**Priority Claimed**

Number	Country	Month/Day/Year Filed	Yes	No
Number	Country	Month/Day/Year Filed	Yes	No
Number	Country	Month/Day/Year Filed	Yes	No

PROVISIONAL PATENT APPLICATION(S)

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

60/443,107	January 27, 2003
Application Number	Filing Date

PARENT PATENT APPLICATION(S)

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in these prior United States application(s) in the manner provided by 35 U.S.C. §112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

Application No.	Filing Date	Status (Issued, Pending, Abandoned)
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Application No.	Filing Date	Status (Issued, Pending, Abandoned)
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Application No.	Filing Date	Status (Issued, Pending, Abandoned)
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Application No.	Filing Date	Status (Issued, Pending, Abandoned)
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I hereby appoint David B. Ritchie, Registration No. 31,562; Robert E. Krebs, Registration No. 25,885; Marc S. Hanish, Registration No. 42,626; John P. Schaub, Registration No. 42,125; Adrienne Yeung, Registration No. 44,000; Steven J. Robbins, Registration No. 40,299; Thierry K. Lo, Registration No. 49,097; William Samuel Niece, Registration No.: 47,824; Khaled Shami Registration No. 38,745; William E. Winters, Registration No. 42,232, Masako Ando, (37 C.F.R. §10.9 (b)); Yukiko Maekawa Registration No. 50,307 and John Klaas Uilkema, Registration No. 20,282; Becky L. Troutman, Registration No. 36,703; Hal J. Bohner, Registration No. 27,856; as attorneys of record with full power of substitution and revocation, to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith. If this application is assigned by me I agree and understand that the above-named attorneys will represent the assignee and not me.

Please send all correspondence and direct all telephone calls to:

Robert E. Krebs
Thelen Reid & Priest LLP
P.O. Box 640640
San Jose, CA 95164-0640
Telephone: (408) 292-5800
Facsimile: (408) 287-8040

I, the undersigned, declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing therefrom.

FULL NAME OF FIRST Name INVENTOR 1		MIDDLE Initial(s)	LAST Name	
Gajendra			Shukla	
RESIDENCE AND CITIZENSHIP	City	State or Foreign Country	Country of Citizenship	
Sunnyvale		California	India	
POST OFFICE ADDRESS	Number and Street	City	State or Country	Zip Code
1035 Aster Avenue # 1199		Sunnyvale	California	94086

FULL NAME OF FIRST Name INVENTOR 2		MIDDLE Initial(s)	LAST Name	
Daniel			Wong	
RESIDENCE AND CITIZENSHIP	City	State or Foreign Country	Country of Citizenship	
San Jose		California	Canada	
POST OFFICE ADDRESS	Number and Street	City	State or Country	Zip Code
2573 Cordoba Way		San Jose	California	95125


FULL NAME OF FIRST Name INVENTOR 3		MIDDLE Initial(s)	LAST Name	
Hilton			Hong	
RESIDENCE AND CITIZENSHIP	City	State or Foreign Country	Country of Citizenship	
San Jose		California	United States	
POST OFFICE ADDRESS	Number and Street	City	State or Country	Zip Code
1314 Petal Way		San Jose	California	95129

I further declare that all statements made herein of my own knowledge are true and that all statements made upon information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under

Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Gajendra Shukla _____ Date _____

Daniel Yun-chak Wong _____ Date _____

 _____ Date 8/28/04
Hilton Hong

**FULL NAME OF FIRST Name
INVENTOR 1****MIDDLE Initial(s)****LAST Name**

<u>Gaiendra</u>	<u>Shukla</u>
RESIDENCE AND City	State or Foreign Country Country of Citizenship

<u>Sunnyvale</u>	<u>California</u>	<u>India</u>
POST OFFICE Number and Street	City	State or Country Zip Code

<u>1035 Aster Avenue # 1199</u>	<u>Sunnyvale</u>	<u>California</u>	<u>94086</u>
---------------------------------	------------------	-------------------	--------------

**FULL NAME OF FIRST Name
INVENTOR 2****MIDDLE Initial(s)****LAST Name**

<u>Daniel</u>	<u>Yun-chak</u>	<u>Wong</u>
RESIDENCE AND City	State or Foreign Country	Country of Citizenship

<u>San Jose</u>	<u>California</u>	<u>Canada</u>
POST OFFICE Number and Street	City	State or Country Zip Code

<u>2573 Cordoba Way</u>	<u>San Jose</u>	<u>California</u>	<u>95125</u>
-------------------------	-----------------	-------------------	--------------

**FULL NAME OF FIRST Name
INVENTOR 3****MIDDLE Initial(s)****LAST Name**

<u>Hilton</u>	<u>Hong</u>
RESIDENCE AND City	State or Foreign Country Country of Citizenship

<u>San Jose</u>	<u>California</u>	<u>United States</u>
POST OFFICE Number and Street	City	State or Country Zip Code

<u>1314 Petal Way</u>	<u>San Jose</u>	<u>California</u>	<u>95129</u>
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I further declare that all statements made herein of my own knowledge are true and that all statements made upon information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under

Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Gaiendra Shukla
Gaiendra Shukla

July 15th 2004
Date

Daniel Yun-chak Wong
Daniel Yun-chak Wong

July 15/2004
Date

Hilton Hong
Hilton Hong

Date

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37 C.F.R. §1.56**Duty to disclose information material to patentability**

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

(1) Prior art cited in search reports of a foreign patent office in a counterpart application, and

(2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

(1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or

(2) It refutes, or is inconsistent with, a position the applicant takes in:

(i) Opposing an argument of unpatentability relied on by the Office, or

(ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

(1) Each inventor named in the application;

(2) Each attorney or agent who prepares or prosecutes the application; and

(3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

DOCKETED
FEB 10 2004

Serial/Patent No.: Unassigned

Filing/Issue Date: 1/26/04

Applicant: Hilton Hung

Title: SYSTEM AND METHOD FOR A TOPOLOGY MAP RELATED TO ACCESS POINT USAGE IN A WIRELESS NETWORK

TRP Docket No.: 034421-000178

Atty/Secty Initials: REK/JDG/r

Date Mailed: 1/26/04

Docket Due Date: 1/26/04

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

- | | |
|-------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|
| <input type="checkbox"/> Amendment/Response (____ pgs.) | <input type="checkbox"/> IDS & PTO 1449 (____ pgs.) |
| <input type="checkbox"/> Appeal Brief (____ pgs.) (in triplicate) | <input type="checkbox"/> _____ Pieces of Prior Art Enclosed |
| <input checked="" type="checkbox"/> Application - Utility (13 pgs. with cover & abstract) | <input type="checkbox"/> Issue Fee Transmittal |
| <input type="checkbox"/> Application - Rule 1.53(b) Continuation (____ pgs.) | <input type="checkbox"/> Submission of Formal Drawings: |
| <input type="checkbox"/> Application - Rule 1.53(b) Division (____ pgs.) | _____ # of sheets includes _____ figures |
| <input type="checkbox"/> Application - Rule 1.53(b) CIP (____ pgs.) | <input type="checkbox"/> Notice of Appeal |
| <input type="checkbox"/> Application - Rule 1.53(d) CPA (____ pgs.) | <input checked="" type="checkbox"/> Postcard |
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| <input type="checkbox"/> Certificate of Correction | <input type="checkbox"/> Request for Continued Examination (RCE) (____ pgs.) |
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| <input checked="" type="checkbox"/> Drawings (informal): | <input type="checkbox"/> Transmittal Letter (original & copy) |
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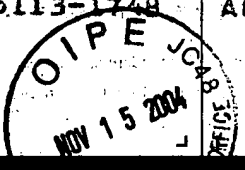


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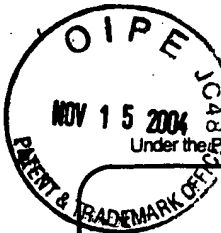
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Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office. U.S. DEPARTMENT OF COMMERCE

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**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))

Attorney Docket No.	034421-000178
First Inventor	Hilton Hung
Title	System and Method for a Topology Map Related to Access Point Usage in a Wireless Network
Express Mail Label No.	EV 310 853 240 US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

1. ☐ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 13]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the invention
 - Brief Summary of the invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 2]
5. Oath or Declaration [Total Sheets]
 - a. ☐ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 CFR 1.63 (d))
(for a continuation/divisional with Box 18 completed)
 - i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ Paper
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATIONS PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 C.F.R. 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☒ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other: _____

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

of prior application No: _____ / _____

Prior application information: Examiner _____

Art Unit: _____

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.**19. CORRESPONDENCE ADDRESS**☐ Customer NumberOR ☒ Correspondence address below

Name	Robert E. Krebs				
Address	Thelen Reid & Priest, LLP				
	P.O. Box 640640-0640				
City	San Jose	State	CA	Zip Code	95164-0640
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Signature		Date	January 20, 2004

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/765,558
Filing Date	1/26/04
First Named Inventor	Hilton Hong
Art Unit	2665
Examiner Name	Unassigned
Attorney Docket Number	034421-000178
Total Number of Pages in This Submission	

ENCLOSURES (check all that apply)

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm	THELEN REID & PRIEST, LLP		
Signature			
Printed Name	Khaled Shami		
Date	November 9, 2004	Reg. No.	38,745

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